



Atty. Dkt. No. 065691-0230

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**HOMOLOGOUS RECOMBINATION IN MISMATCH REPAIR  
INACTIVATED EUKARYOTIC CELLS**

(Attorney Docket No. 065691-0230)

the specification of which (check one)

is attached hereto.

☒ X

was filed on June 20, 2001 as United States Application Number  
or PCT International Application Number 09/884,877 and was  
amended on \_\_\_\_\_ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/147,712	PCT/EP95/02980	02/23/1999	
		07/26/1995	

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079

KENNETH E. KROSIN  
 JACK LAHR  
 GLENN LAW  
 PETER G. MACK  
 STEPHEN B. MAEBIUS  
 BRIAN J. MC NAMARA  
 SYBIL MELOY  
 RICHARD C. PEET  
 GEORGE E. QUILLIN  
 ANDREW E. RAWLINS  
 BERNHARD D. SAXE  
 CHARLES F. SCHILL  
 RICHARD L. SCHWAAB  
 MICHELE M. SIMKIN  
 HAROLD C. WEGNER

Reg. No. 25,735  
 Reg. No. 19,621  
 Reg. No. 34,371  
 Reg. No. 26,001  
 Reg. No. 35,264  
 Reg. No. 32,789  
 Reg. No. 22,749  
 Reg. No. 35,792  
 Reg. No. 32,792  
 Reg. No. 34,702  
 Reg. No. 28,665  
 Reg. No. 27,590  
 Reg. No. 25,479  
 Reg. No. 34,717  
 Reg. No. 25,258

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Stephen B. Maebius  
 FOLEY & LARDNER  
 Washington Harbour  
 3000 K Street, N.W., Suite 500  
 Washington, D.C. 20007-5109

Telephone: (202) 672-5569  
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor  
 Residence  
 Citizenship  
 Post Office Address  
 Inventor's signature  
 Date

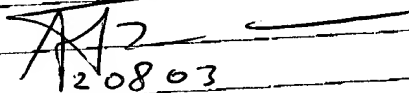
TE RIELE, Henricus Petrus Joseph

Amsterdam, Netherlands

Netherlands

Da Costakade 128 hs, NL-1053 XB

Amsterdam, Netherlands

  
 20803

Name of second inventor

DE WIND, Niels

Residence

Leiderdorp, Netherlands

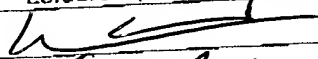
Citizenship

Netherlands

Post Office Address

Wagenmaker 15, NL-2353 WH  
Leiderdorp, Netherlands

Inventor's signature



Date

September 02, 2003

Name of third inventor

DEKKER-VLAAR Helena, Maria, Johanna

Residence

Obdam, Netherlands

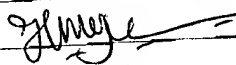
Citizenship

Netherlands

Post Office Address

~~Westerstraat 52, NL-1713 VC~~ Den Acker sloot 15  
1713 BG Obdam, Netherlands

Inventor's signature



Date

110803